

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

Hon. Hugh B. Scott

10CR180S

Order

STACEY T. SPENCER,

Defendant.

Before the Court is the Government's motion to quash the subpoena served upon Judge Daniel Palumbo, Olean City Court (Docket No. 45). In a parallel proceeding, Judge Palumbo moved to quash, Palumbo v. Spencer, 11MC76. Both proceedings arise from so much of defendant's motion (Docket No. 10) seeking to suppress evidence seized from defendant's vehicle pursuant to a search warrant issued by Judge Palumbo.

For the reasons stated in the Order entered in the Palumbo v. Spencer proceeding (No. 11MC76, Docket No. 4), the Government's motion to quash (United States v. Spencer, No. 10CR180, Docket No. 45), is **granted**.

So Ordered.

/s/ Hugh B. Scott

Honorable Hugh B. Scott
United States Magistrate Judge

Dated: Buffalo, New York
September 23, 2011